

The woman before, that he had seen her walk before him, came out of the saloon opposite, where he was sitting at the street and spoke to her; deceased and the young lady soon came down into our saloon; the lady commenced talking to me, saying she was married and warm-hearted, when deceased asked her if I would like to take a seat in one of the private boxes; I replied in the affirmative, when they both went up into said box and sat down; deceased then asked me to get a bottle of sarsaparilla which I did; deceased said, "put a little whisky in it," which I did; in about four minutes, Moroney, the prisoner, came down the steps and decreately walked up to the prize fight, but stopped and looked back some time saying to the woman, "You thought you were getting away from me" or words to that effect; deceased then got up to her lady, "Do you know this man?" When she said,

want here!" to Moroney, at the same time pulling the door to; the prisoner then pulled the door open, I was passing into the kitchen at this time, and what I saw was between the prisoner and deceased after that I do not know; I returned in about a minute and found that there had been a man between the parties, amounting to a fight, and the prisoner said, "I have a fighting here—let me take the phone away," he said so; as I turned around the way, I walked to where the prisoner was standing; I saw him drawing something from his pocket, and as the prisoner raised his arm I caught sight of the barrel of a pistol; most of the weapon was covered with the blood of the prisoner, and at the same time I saw the prisoner fire; deceased was standing in the bench in the private box at the time; I clapped his hands over his head, and said, "I am shot, stop that murderer; the prisoner then ran, followed by deceased, for a little distance; I conducted the deceased back again to the room; he asked me "where I was taking him to," and

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versation with the girl she said she had been married to by him, and that she wished he would mind his own business—that she had taken a car to get away from him, and that the conductor had put her down in Canal street. She is a private box, and that was as the cause out of the reason that deceased saw her; stated; I do not know who struck the first blow; deceased was perfectly sober, and the recollection of the deed does not seem to have a figure; the prisoner appears perfectly sober and rational; I saw nothing on the part of deceased to provoke a quarrel.

John Hart, residing at No. 388 Canal street, deposed that he knew deceased slightly; on the morning of the affair he was at the office of George Higgs, the attorney of George Higgs, and can fully corroborate it as being true; when the prisoner went to the prison he pulled the door open, and it was shut again by the deceased; but he did not see deceased strike the prisoner; he did not know whether he struck deceased; he tried to do so; I did not see deceased strike the prisoner; Moroney fired a pistol at the deceased, hitting him in the head; I saw no other weapon used; I saw no one else recognize the prisoner as the person who fired the pistol at deceased.

Martin Van Buren Ongletrie, being duly sworn, deposed as follows: I live at No. 91 South Street, above

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when deceased came in alone; soon afterward a man and a woman came into the saloon; the man was intoxicated, and treated all around; when deceased came in he said, "It is time for me to go along; I soon will be going along," but retraced on foot; that it was the wrong car; at this time all those in the saloon had gone out, except Hamilton and myself; Hamilton said, "You ought to see the nice girl I picked up a week or so ago;" a man another car came along, when deceased went out; he said, "I am going again, I am going," and there the very girl I was talking about, she has just come out of that car, and a man after her;" the girl, he said, had gone into the saloon opposite; she soon came out and passed down Canal street, toward Thompson's; deceased followed her down on the Thompson's; she then turned right, and he said that if he would overtake her he would bring her back; while deceased was gone the prisoner came across the street and

has just returned
merely a private

us take a walk. We got back to the saloon we found deceased and the girl sitting at the stove in Johnson's saloon; the prisoner did not go down with me into the saloon; she stopped to talk with two policemen; some afternoon came and the prisoner was taken to the jail out of the house where deceased and the girl were, he walked up to the door and opened it, and addressing the girl, said, "You thought you had given me the ship, did you?" or words to that effect, when deceased jumped up and said, "But that's all I do want." The prisoner asked the girl if she was the prisoner, when she said, "No;" then Hamilton pulled the door to, when the prisoner pulled it open again; the door was opened and shut in this way some two

Minister of Foreign Affairs

"You don't know the girl any more than I do," at the same time he raised his hand and made a backward motion, as if to hit the prisoner; then they clenched, and blows were struck on both sides; the waiter then came forward to take away the dishes, fearing they would be broken; Hamilton made a kick at the pri-

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GARDMAN

then turned around toward the door to go out, when I heard the report of a pistol; I then turned back to where I had been standing, near the stove, when I heard a voice saying, "I am shot;" the prisoner then came past me and went out, seemingly much agitated; I decried followed him, and I went out after him; Hamilton was bleeding; I saw a very great light band;

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saw one a short time afterward in the hands of a private watchman (the pistol produced and identified); there was only one report; the first that I saw of the prisoner was when he came across the street and asked me which way the girl had gone; the prisoner is the man who had the affray with deceased; the

Prussia had raised

Louisa Eber being duly sworn, deposed—That she formerly lived with a lady in Carlisle street; I know

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the deceased; I saw him once previous to the morning he was killed; I did not know the deceased's full name; I did not know the prisoner at all; on the morning of the murder, as I was walking along Greene street, the prisoner came along and asked me to go with him; I said I would not; he followed me, when I went aboard

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let me out in Canal street, when I entered the saloon opposite Johnson's, and asked the proprietor if he would not go out and speak to the man that was following me; the prisoner came into the saloon then and wanted to sit down beside me, but I would not let him; that is all that took place, and I have no more to say.

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the keeper of the saloon told him to let me alone as to go about his own business; the prisoner told him to shut up; then the prisoner said I might go out and that he would not follow me; I went out and then met deceased, who says to me, "I was just going to get into the car when I saw that fellow following you into the saloon," he asked me to

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their services to

go down into the saloon opposite, where the prisoner would not bother me; I did so, and sat down by the stove to warm myself; then we went into the private box; I called for a glass of sarsaparilla, and was just going to drink it when the prisoner came in and said, "You thought you were going to get away."

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from me," Hamilton then got up and shut the door; he asked me if I was acquainted with the prisoner, when I replied that I never saw him before; deceased then told the prisoner to go away, and shut the door again; then they quarreled and fought, when I got out of the box and ran toward the kitchen; as I got there

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I heard the report of a pistol, and saw Hamilton holding his hand to his face; I did not see the shot fired; I saw no weapon in the hands of any one; I knew deceased by the name of Harry; I never saw the prisoner before until he accosted me in Greene street.

William H. Kidney of the Fifth Ward Police, being

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doly sworn, deposed as follows—I was on duty in Canal street on the morning of the murder, between the hours of 2 and 3 o'clock, when Officer Nesbit, who was with me, saluted the prisoner and commenced talking with him; the prisoner then went down into Johnson's saloon, and in about five minutes afterward he came upstairs, followed by a deceased who was

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He came up again, knocked by accident, and was crying "Murder, I am shot;" I pursued the prisoner down Canal street and up Laurens street, when I told him to stop; he did so immediately, when Officer Nesbit came up and told him that he must go to the Station House; the prisoner said, "All right;" I asked the prisoner what was the matter, when he said that

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deceased had struck him and he had struck back; I then found that deceased had been shot; I conveyed him from the saloon to the Station House; the deceased followed the prisoner up Laurens street about twenty-five or thirty feet from the corner of Canal street, and then turned back into the saloon; the pistol

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was found in an area-way just where I arrested the prisoner; the deceased was near me when I arrested the prisoner, and identified him as the man who shot him.

MEDICAL TESTIMONY.

Robert Ray, M. D., being duly sworn, deposes and

about previous value offered at a further

—I am house surgeon of the New-York Hospital; deceased was admitted to the institution on the morning of the 16th inst., suffering from two wounds—one just above the left eye, and the other in the left temple, apparently caused by pistol bullets; not understanding the use of necessary remedies, the deceased became moribund.

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